

## Exhibit RTD-11

# Testimony of Tim Stroschane



# Outline

- Petition contrary to reducing reliance on Delta for California's future water needs.
- Petition is, in effect, a new water right.
- Petition Facilities would cause harm from flow alterations and impaired and degraded water quality.
- Recommendations.

## Delta Reliance

Petition contrary to reducing reliance on Delta for California's future water needs.

- Environmental documents provide no analysis of Petition Facilities' compliance with Water Code Section 85021.
- Purpose of Petition Facilities is to maintain present export levels of Delta water to meet state's future water needs.

# New Water Right

We present evidence that the Petition is, in effect, a new water right.

- Petition Facilities are a new method of diversion in the Delta as well as new points of diversion.
- No legislative authorization for Petition Facilities.
- Petition Facilities and points of diversion not described in existing water rights.

# New Water Right

We present evidence that the Petition is, in effect, a new water right: (cont.)

- Petitioners sought time extensions for existing permitted facilities, delays of which lead to cold-storing of appropriated water.
- We present evidence SWP and CVP are complete.
- We present evidence there are no good causes for Board to grant time extensions to their existing water rights.

## Harm

Petition Facilities would harm legal users of water by causing flow alterations that would impair and degrade water quality.

Several ways Petition Facilities would **alter Delta flows**:

- **Remove fresh water** from the Sacramento River.
- **Reverse flows, or “upstream transport”** would occur at times of reduced Delta inflow and could be worsened by Petition Facilities’ operations.
- **Residence time of water would increase** from operation of Petition Facilities.
- **Water source composition** at various Delta locations will be altered by the changed flow regime.

## Harm

Flow alterations will lead to water quality changes that would violate water quality objectives and degrade Delta water quality.

- Reduced downstream flow and increased residence time of water would cause **greater upstream incursion of tidal salts and influx of more polluted and saline San Joaquin River water.**
- Degraded surface water quality would affect the **City of Stockton's Delta Water Supply Project intake and groundwater quality** for municipal beneficial uses.

## Recommendations

- **Deny the Change Petition as contrary to Water Code Section 85021.**
- **License existing SWP and CVP water rights** permits.
- If Board considers the Petition, require Petitioners file a **new water right application**.
  - New priority date.
  - Review for water availability.
  - Carry over permit conditions from existing SWP and CVP water rights.
- Develop **appropriate flow criteria** for Bay-Delta WQCP.
- Update Fully-Appropriated Streams Order 98-08.